

1941, to send a new certificate of entitlement of a State to Representatives, if such a certificate had been sent prior to Nov. 15, 1941, under provisions of section 2a of this title.

§ 2c. Number of Congressional Districts; number of Representatives from each District

In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of section 2a(a) of this title, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress).

(Pub. L. 90-196, Dec. 14, 1967, 81 Stat. 581.)

§§ 3, 4. Omitted

CODIFICATION

Section 3, act Aug. 8, 1911, ch. 5, § 3, 37 Stat. 14, which related to election by districts, expired by its own limitation on enactment of Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under Fifteenth Census, and hence it was not applicable thereto. See *Wood v. Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed. 131).

Section 4, act Aug. 8, 1911, ch. 5, § 4, 37 Stat. 14, which related to additional Representatives at large, expired by its own limitation on enactment of Reapportionment Act of June 18, 1929, ch. 28, § 22, 46 Stat. 21 (section 2a of this title). It was not restated in act June 18, 1929, providing for reapportionment under Fifteenth Census, and hence it was not applicable thereto. See *Wood v. Brown*, 1932 (53 S. Ct. 1, 287 U.S. 1, 77 L. Ed. 131).

§ 5. Nominations for Representatives at large

Candidates for Representative or Representatives to be elected at large in any State shall be nominated in the same manner as candidates for governor, unless otherwise provided by the laws of such State.

(Aug. 8, 1911, ch. 5, § 5, 37 Stat. 14.)

§ 6. Reduction of representation

Should any State deny or abridge the right of any of the male inhabitants thereof, being twenty-one years of age, and citizens of the United States, to vote at any election named in the amendment to the Constitution, article 14, section 2, except for participation in the rebellion or other crime, the number of Representatives apportioned to such State shall be reduced in the proportion which the number of such male citizens shall have to the whole number of male citizens twenty-one years of age in such State.

(R.S. § 22.)

CODIFICATION

R.S. § 22 derived from act Feb. 2, 1872, ch. 11, § 6, 17 Stat. 29.

§ 7. Time of election

The Tuesday next after the 1st Monday in November, in every even numbered year, is estab-

lished as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter.

(R.S. § 25; Mar. 3, 1875, ch. 130, § 6, 18 Stat. 400; June 5, 1934, ch. 390, § 2, 48 Stat. 879.)

CODIFICATION

R.S. § 25 derived from act Feb. 2, 1872, ch. 11, § 3, 17 Stat. 28.

The second sentence of this section, which was based on section 6 of the act Mar. 3, 1875 and made this section inapplicable to any State that had not yet changed its day of election and whose constitution required an amendment to change the day of election of its State officers, was omitted.

AMENDMENTS

1934—Act June 5, 1934, substituted “3d day of January” for “fourth day of March”.

CONSTITUTIONAL PROVISIONS

The first section of Amendment XX to the Constitution provides: “The terms of Senators and Representatives [shall end] at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.”

CROSS REFERENCES

Time for election of Representatives, see Const. Art. I, § 4, cl. 1.

§ 8. Vacancies

The time for holding elections in any State, District, or Territory for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively.

(R.S. § 26.)

CODIFICATION

R.S. § 26 derived from act Feb. 2, 1872, ch. 11, § 4, 17 Stat. 28.

CONSTITUTIONAL PROVISIONS

Vacancies in the House of Representatives, see Const. Art. I, § 2, cl. 4.

§ 9. Voting for Representatives

All votes for Representatives in Congress must be by written or printed ballot, or voting machine the use of which has been duly authorized by the State law; and all votes received or recorded contrary to this section shall be of no effect.

(R.S. § 27; Feb. 14, 1899, ch. 154, 30 Stat. 836.)

CODIFICATION

R.S. § 27 derived from acts Feb. 28, 1871, ch. 99, § 19, 16 Stat. 440, and May 30, 1872, ch. 239, 17 Stat. 192.

CHAPTER 2—ORGANIZATION OF CONGRESS

Sec.

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| 21. | Oath of Senators. |
| 22. | Oath of President of Senate. |
| 23. | Presiding officer of Senate may administer oaths. |

- Sec.
24. Secretary of Senate or assistant secretary may administer oaths.
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- 28e. Distribution of Precedents by Joint Committee on Printing of surplus sets; additional printing, etc., of sets under authority of Joint Committee.
29. Condensed and simplified versions of House precedents; other useful materials in summary form; form and distribution to Members of Congress, Resident Commissioner from Puerto Rico, and others; appointment and compensation of personnel; utilization of services of personnel of Federal agencies.
- 29a. Early organization of House of Representatives.
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- (c) Availability of House contingent fund.
- 29b, 29c. Omitted.
- 29d. Committee on Standards of Official Conduct of House of Representatives.
- (a) Omitted.
- (b) Committee composition.
- (c) Investigative subcommittees.
- (d) Adjudicatory subcommittees.
- (e) to (h) Omitted.
- (i) Advice and education.
- (j) Effective date.
30. Term of service of Members of Congress as trustees or directors of corporations or institutions appropriated for.
- 30a. Jury duty exemption of elected officials of legislative branch.

§ 21. Oath of Senators

The oath of office shall be administered by the President of the Senate to each Senator who shall be elected, previous to his taking his seat.

(R.S. § 28.)

CODIFICATION

R.S. § 28 derived from act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 22. Oath of President of Senate

When a President of the Senate has not taken the oath of office, it shall be administered to him by any Member of the Senate.

(R.S. § 29.)

CODIFICATION

R.S. § 29 derived from act June 1, 1789, ch. 1, § 2, 1 Stat. 23.

§ 23. Presiding officer of Senate may administer oaths

The presiding officer, for the time being, of the Senate of the United States, shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, officer of the Senate, witness, or other person, in respect to any matter within the jurisdiction of the Senate.

(Apr. 18, 1876, ch. 66, § 1, 19 Stat. 34.)

§ 24. Secretary of Senate or assistant secretary may administer oaths

The Secretary of the Senate, and the assistant secretary thereof, shall, respectively, have power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any officer of the Senate, and to any witness produced before it.

(Apr. 18, 1876, ch. 66, § 2, 19 Stat. 34; July 9, 1971, Pub. L. 92-51, 85 Stat. 125.)

CHANGE OF NAME

Assistant secretary of the Senate deemed successor in references to chief clerk of the Senate in all laws, rules, resolutions, and orders, effective July 1, 1971, under provisions of Pub. L. 92-51, July 9, 1971, 85 Stat. 125.

§ 25. Oath of Speaker, Members, and Delegates

At the first session of Congress after every general election of Representatives, the oath of office shall be administered by any Member of the House of Representatives to the Speaker; and by the Speaker to all the Members and Delegates present, and to the Clerk, previous to entering on any other business; and to the Members and Delegates who afterward appear, previous to their taking their seats.

The Clerk of the House of Representatives of the Eightieth and each succeeding Congress shall cause the oath of office to be printed, furnishing two copies to each Member and Delegate who has taken the oath of office in accordance with law, which shall be subscribed in person by the Member or Delegate, who shall thereupon deliver them to the Clerk, one to be filed in the

records of the House of Representatives, and the other to be recorded in the Journal of the House and in the Congressional Record; and such signed copies, or certified copies thereof, or of either of such records thereof, shall be admissible in evidence in any court of the United States, and shall be held conclusive proof of the fact that the signer duly took the oath of office in accordance with law.

(R.S. §30; Feb. 18, 1948, ch. 53, 62 Stat. 20.)

CODIFICATION

R.S. §30 derived from act June 1, 1789, ch. 1, §2, 1 Stat. 23.

The last paragraph of this section, which permitted Members and Delegates of the House of Representatives of the Eightieth Congress to subscribe and deliver two signed copies of the printed oath of office at any time before the expiration of the Eightieth Congress, was omitted.

AMENDMENTS

1948—Act Feb. 18, 1948, added last two paragraphs to provide a way by which any Member of House of Representatives can establish by record evidence the fact that the Member took the oath of office and so became a Member.

CROSS REFERENCES

Provisions respecting representation in Congress by a delegate from District of Columbia to House of Representatives, see section 25a of this title.

Provisions respecting representation in Congress by a Delegate from Guam and Virgin Islands to House of Representatives, see section 1711 et seq. of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 25b of this title.

§ 25a. Delegate to House of Representatives from District of Columbia

(a) The people of the District of Columbia shall be represented in the House of Representatives by a Delegate, to be known as the “Delegate to the House of Representatives from the District of Columbia”, who shall be elected by the voters of the District of Columbia in accordance with the District of Columbia Election Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting, shall have all the privileges granted a Representative by section 6 of Article I of the Constitution, and shall be subject to the same restrictions and regulations as are imposed by law or rules on Representatives. The Delegate shall be elected to serve during each Congress.

(b) No individual may hold the office of Delegate to the House of Representatives from the District of Columbia unless on the date of his election—

- (1) he is a qualified elector (as that term is defined in section 2(2) of the District of Columbia Election Act) of the District of Columbia;
- (2) he is at least twenty-five years of age;
- (3) he holds no other paid public office; and
- (4) he has resided in the District of Columbia continuously since the beginning of the three-year period ending on such date.

He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(Pub. L. 91-405, title II, §202, Sept. 22, 1970, 84 Stat. 848.)

REFERENCES IN TEXT

The District of Columbia Election Act, referred to in subsecs. (a) and (b)(1), is act Aug. 12, 1955, ch. 862, 69 Stat. 699, as amended, which appears in subchapter I (§1-1301 et seq.) of chapter 13 of Title 1, Administration, of the District of Columbia Code. Section 2(2) of that Act appears in section 1-1302(2) of the District of Columbia Code.

CODIFICATION

Section is also set out in D.C. Code §1-401.

EFFECTIVE DATE

Section 206(b) of title II of Pub. L. 91-405 provided that: “This title and the amendments made by this title [enacting this section and section 25b of this title and amending section 2106 of Title 5, Government Organization and Employees, sections 4342, 6954, and 9342 of Title 10, Armed Forces, sections 201, 203, 204, 591, 594, and 595 of Title 18, Crimes and Criminal Procedure, and section 1973i of Title 42, The Public Health and Welfare] shall take effect on the date of its enactment [Sept. 22, 1970].”

§ 25b. Delegate from District of Columbia; applicability of certain Federal laws

The provisions of law which appear in—

- (1) section 25 (relating to oath of office),
- (2) section 31 (relating to compensation),
- (3) section 34 (relating to payment of compensation),
- (4) section 35 (relating to payment of compensation),
- (5) section 37 (relating to payment of compensation),
- (6) section 38a (relating to compensation),
- (7) section 39 (relating to deductions for absence),
- (8) section 40 (relating to deductions for withdrawal),
- (9) section 40a (relating to deductions for delinquent indebtedness),
- (10) section 41 (relating to prohibition on allowance for newspapers),
- (11) section 42c (relating to postage allowance),
- (12) section 46b (relating to stationery allowance),
- (13) section 46b-1 (relating to stationery allowance),
- (14) section 46b-2 (relating to stationery allowance),
- (15) section 46g (relating to telephone, telegraph, and radiotelegraph allowance),
- (16) section 47 (relating to payment of compensation),
- (17) section 48 (relating to payment of compensation),
- (18) section 49 (relating to payment of compensation),
- (19) section 50 (relating to payment of compensation),
- (20) section 54 (relating to provision of United States Code Annotated or Federal Code Annotated),
- (21) section 60g-1¹ (relating to clerk hire),
- (22) section 60g-2(a)¹ (relating to interns),
- (23) section 80 (relating to payment of compensation),

¹ See References in Text note below.

- (24) section 81¹ (relating to payment of compensation),
- (25) section 82¹ (relating to payment of compensation),
- (26) section 92 (relating to clerk hire),
- (27) section 92b (relating to pay of clerical assistants),
- (28) section 112e (relating to electrical and mechanical office equipment),
- (29) section 122¹ (relating to office space in the District of Columbia), and
- (30) section 123b (relating to use of House Recording Studio),

of this title shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative. The Federal Corrupt Practices Act and the Federal Contested Election Act [2 U.S.C. 381 et seq.] shall apply with respect to the Delegate to the House of Representatives from the District of Columbia in the same manner and to the same extent as they apply with respect to a Representative.

(Pub. L. 91-405, title II, §204(a), Sept. 22, 1970, 84 Stat. 852.)

REFERENCES IN TEXT

Section 60g-1 of this title, referred to in par. (21), was repealed by Pub. L. 91-510, title IV, §477(a)(2), Oct. 26, 1970, 84 Stat. 1195. See section 332 of this title.

Section 60g-2 of this title, referred to in par. (22), which was based on House Resolution No. 416, Eighty-ninth Congress, June 16, 1965, as enacted into permanent law by Pub. L. 89-545, §103, Aug. 27, 1966, 80 Stat. 369, was repealed by section 2 of House Resolution No. 420, Ninety-third Congress, Sept. 18, 1973, as enacted into permanent law by Pub. L. 93-245, ch. VI, §600, Jan. 3, 1974, 87 Stat. 1979. Present section 60g-2 of this title is based on section 1 of House Resolution No. 420 as enacted into permanent law by Pub. L. 93-245.

Section 81 of this title, referred to in par. (24), was repealed by Pub. L. 93-344, title V, §505(2), July 12, 1974, 88 Stat. 322.

Section 82 of this title, referred to in par. (25), was repealed by Pub. L. 92-310, title II, §220(d), (e), June 6, 1972, 86 Stat. 204.

Section 122 of this title, referred to in par. (29), was repealed by Pub. L. 95-391, title I, §111, Sept. 30, 1978, 92 Stat. 778. See section 122b et seq. of this title.

The Federal Corrupt Practices Act, referred to in text, is act Feb. 28, 1925, ch. 368, title III, §§301-317, 43 Stat. 1070, as amended, which was classified generally to chapter 8 (§241 et seq.) of this title, was repealed by acts June 25, 1948, ch. 645, §21, 62 Stat. 862, and Feb. 7, 1972, Pub. L. 92-225, title IV, §405, 86 Stat. 20, and is covered generally by chapter 14 (§431 et seq.) of this title. For further details and for complete classification of this Act to the Code prior to its repeal, see notes set out under section 241 et seq. of this title and Tables.

The Federal Contested Elections Act, referred to in text, is Pub. L. 91-138, Dec. 5, 1969, 83 Stat. 284, which is classified generally to chapter 12 (§381 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 381 of this title and Tables.

CODIFICATION

Section is also set out in D.C. Code §1-402.

EFFECTIVE DATE

Section effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as a note under section 25a of this title.

§ 26. Roll of Representatives-elect

Before the first meeting of each Congress the Clerk of the next preceding House of Representatives shall make a roll of the Representatives-elect, and place thereon the names of those persons, and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their States respectively, or the laws of the United States. In case of a vacancy in the office of Clerk of the House of Representatives, or of the absence or inability of the Clerk to discharge the duties imposed on him by law or custom relative to the preparation of the roll of Representatives or the organization of the House, those duties shall devolve on the Sergeant at Arms of the next preceding House of Representatives. In case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or of the absence or inability of both to act, the duties of the Clerk relative to the preparation of the roll of the House of Representatives or the organization of the House shall be performed by the Doorkeeper of the next preceding House of Representatives.

(R.S. §§31-33.)

CODIFICATION

R.S. §31 derived from acts Feb. 21, 1867, ch. 56, §1, 14 Stat. 397 and Mar. 3, 1863, ch. 108, 12 Stat. 804.

R.S. §§32 and 33 derived from act Feb. 21, 1867, ch. 56, §2, 14 Stat. 397.

R.S. §31 constitutes first sentence; R.S. §32 constitutes second sentence, and R.S. §33 constitutes the third sentence.

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished and functions transferred generally to Sergeant-at-Arms of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 34 of this title.

§ 27. Change of place of meeting

Whenever Congress is about to convene, and from the prevalence of contagious sickness, or the existence of other circumstances, it would, in the opinion of the President, be hazardous to the lives or health of the members to meet at the seat of Government, the President is authorized, by proclamation, to convene Congress at such other place as he may judge proper.

(R.S. §34.)

CODIFICATION

R.S. §34 derived from act Apr. 3, 1794, ch. 17, 1 Stat. 353.

CROSS REFERENCES

Removal of public offices from seat of government because of prevalence of contagious or epidemic disease, see section 73 of Title 4, Flag and Seal, Seat of Government, and the States.

§ 28. Parliamentary precedents of House of Representatives

(a) Periodic compilation; other useful materials; index digest; date of completion

The Parliamentarian of the House of Representatives, at the beginning of the fifth fiscal

year following the completion and publication of the parliamentary precedents of the House authorized by the Legislative Branch Appropriation Act, 1966 (79 Stat. 270; Public Law 89-90), and at the beginning of each fifth fiscal year thereafter, shall commence the compilation and preparation for printing of the parliamentary precedents of the House of Representatives, together with such other materials as may be useful in connection therewith, and an index digest of such precedents and other materials. Each such compilation and preparation for printing of the parliamentary precedents of the House shall be completed by the close of the fiscal year immediately following the fiscal year in which such work is commenced.

(b) Form, number, and distribution of compilation

As so compiled and prepared, such precedents and other materials and index digest shall be printed on pages of such size, and in such type and format, as the Parliamentarian may determine and shall be printed in such numbers and for such distribution as may be provided by law enacted prior to printing.

(c) Appointment and compensation of personnel; utilization of services of personnel of Federal agencies

For the purpose of carrying out each such compilation and preparation, the Parliamentarian may—

(1) subject to the approval of the Speaker, appoint (as employees of the House of Representatives) clerical and other personnel and fix their respective rates of pay; and

(2) utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, §331, Oct. 26, 1970, 84 Stat. 1186.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, referred to in subsec. (a), is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For complete classification of this Act to the Code, see Tables.

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

CROSS REFERENCES

Establishment of Office of Parliamentarian of House of Representatives, see section 287 et seq. of this title.

§ 28a. Compilation of the Precedents of House of Representatives; date of completion; biennial update; printing and availability of copies

The Speaker is authorized and directed to complete the Compilation of the Precedents of the House of Representatives by January 1, 1977, and prepare an updated compilation of such precedents every two years thereafter. Copies of the Compilation of Precedents shall be printed in sufficient quantity to be available to every Member and the standing committees of the House of Representatives.

(Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 208 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

EFFECTIVE DATE

Pub. L. 93-554 provided that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective Jan. 2, 1975.

§ 28b. Printing and binding as public document of Precedents of House of Representatives; number of sets authorized

(a) There shall be printed and bound as a public document two thousand sets of the Precedents of the House of Representatives compiled and prepared by Lewis Deschler (hereinafter in sections 28b to 28e of this title referred to as the "Precedents") in accordance with the provisions of the Legislative Branch Appropriation Act, 1966 (Public Law 89-90; 79 Stat. 265).

(b) The number of sets authorized to be printed and bound by or pursuant to sections 28b to 28e of this title shall be in lieu of the usual number of copies for binding and distribution required by section 701 of title 44.

(Pub. L. 94-551, §1, Oct. 18, 1976, 90 Stat. 2537.)

REFERENCES IN TEXT

The Legislative Branch Appropriation Act, 1966, referred to in text, is Pub. L. 89-90, July 27, 1965, 79 Stat. 265. For complete classification of this Act to the Code, see Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 28e of this title.

§ 28c. Distribution of Precedents by Public Printer

(a) Delivery to Members of Ninety-fifth Congress; marking of volumes

The Public Printer shall deliver one set of the Precedents to each Senator or Representative in, or Delegate or Resident Commissioner to, the Ninety-fifth Congress. The name of the Member to whom the set is delivered shall be legibly stamped on the front cover of each volume of the set.

(b) Members of Congress following Ninety-fifth Congress not already having sets of Precedents; necessity of written request to Superintendent of Documents for set

Each Senator or Representative in, or Delegate or Resident Commissioner to, each Congress following the Ninety-fifth Congress who has not theretofore received a set of the Precedents shall be entitled to receive one set of the Precedents, upon transmitting a written request for such set to the Superintendent of Documents.

(c) Additional distribution of sets

The Public Printer shall make the following distribution of sets of the Precedents:

(1) to the office of the Vice President, to the office of the speaker of the House of Representatives, and to the office of the President pro tempore of the Senate, each, five sets;

(2) to the office of the majority leader of the House of Representatives and to the office of

the minority leader of the House of Representatives,¹ each, three sets;

(3) to the Parliamentarian of the House of Representatives, sixty sets;

(4) to the Parliamentarian of the Senate, five sets;

(5) to the Clerk of the House of Representatives, to the Sergeant at Arms of the House of Representatives, and to the Doorkeeper of the House of Representatives, each, two sets;

(6) to the Secretary of the Senate and to the Sergeant at Arms of the Senate, each, two sets;

(7) to the superintendent of the House document room, two sets;

(8) to the superintendent of the Senate document room, two sets;

(9) to the Library of Congress, for international exchange and for official use in Washington, District of Columbia, one hundred and fifty sets;

(10) to the National Archives, three sets;

(11) to the government of the District of Columbia, twelve sets;

(12) to the Smithsonian Institute, two sets;

(13) to the library of each legislative branch of each State, territory, and possession of the United States, one set; and

(14) to the Superintendent of Documents, eight hundred and sixteen sets for distribution to the depository library system.

(Pub. L. 94-551, § 2, Oct. 18, 1976, 90 Stat. 2537.)

ABOLITION OF OFFICE OF DOORKEEPER

Office of Doorkeeper of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 28b, 28e of this title.

§ 28d. Distribution of Precedents by Public Printer for official use; particular distribution; marking and ownership of sets

(a) The Public Printer shall make the following distribution of sets of the Precedents;

(1) to each standing or joint committee of the Congress which is in existence on October 18, 1976, or which is established after October 18, 1976, four sets;

(2) to the office of the Legislative Counsel of the House of Representatives, five sets;

(3) to the office of the Legislative Counsel of the Senate, five sets;

(4) to the library of the House of Representatives, four sets;

(5) to the library of the Senate, two sets;

(6) to the library of the Supreme Court of the United States, nine sets;

(7) to the office of the Official Reporter of Debates of the House of Representatives, three sets; and

(8) to the office of the Official Reporter of Debates of the Senate, three sets.

(b) Each set of Precedents distributed by the Public Printer under subsection (a) of this section shall be for official use. Each such set shall

be legibly stamped on the front cover "Property of the United States Government." Each such set, upon delivery, shall become and remain the property of the United States, and may not be removed from the building in which is located the designated library or office, as the case may be.

(Pub. L. 94-551, § 3, Oct. 18, 1976, 90 Stat. 2538.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 28b, 28e of this title.

§ 28e. Distribution of Precedents by Joint Committee on Printing of surplus sets; additional printing, etc., of sets under authority of Joint Committee

(a) Any set of the Precedents printed and bound pursuant to subsection (a) of section 28b of this title, not needed to carry out the distributions required by sections 28b to 28e of this title, shall be distributed under the direction of the Joint Committee on Printing.

(b) The Joint Committee on Printing may from time to time authorize and direct that additional sets of the Precedents, be printed, bound, and distributed in such manner as the Joint Committee determines will best carry out the purposes of sections 28b to 28e of this title.

(Pub. L. 94-551, § 4, Oct. 18, 1976, 90 Stat. 2538.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 28b of this title.

§ 29. Condensed and simplified versions of House precedents; other useful materials in summary form; form and distribution to Members of Congress, Resident Commissioner from Puerto Rico, and others; appointment and compensation of personnel; utilization of services of personnel of Federal agencies

The Parliamentarian of the House of Representatives shall prepare, compile, and maintain on a current basis and in cumulative form, for each Congress commencing with the Ninety-third Congress a condensed and, insofar as practicable, up-to-date version of all of the parliamentary precedents of the House of Representatives which have current use and application in the House, together with informative text prepared by the Parliamentarian and other useful related material in summary form. The Parliamentarian shall have such matter printed for each Congress on pages of such size and in such type and format as he considers advisable to promote the usefulness of such matter to the Members of the House and shall provide a printed copy thereof to each Member in each Congress, including the Resident Commissioner from Puerto Rico, and may make such other distribution of such printed copies as he considers advisable. In carrying out this section, the Parliamentarian may appoint and fix the pay of personnel and utilize the services of personnel of the Library of Congress and the Government Printing Office.

(Pub. L. 91-510, title III, § 332, Oct. 26, 1970, 84 Stat. 1186.)

¹ So in original. Probably should be "Representatives,".

EFFECTIVE DATE

Section effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

CROSS REFERENCES

Establishment of Office of Parliamentarian of House of Representatives, see section 287 et seq. of this title.

§ 29a. Early organization of House of Representatives

(a) Caucus or conference for incumbent Members reelected to and Members-elect of ensuing Congress; time and procedure for calling

(1) The majority leader or minority leader of the House of Representatives after consultation with the Speaker may at any time during any even-numbered year call a caucus or conference, to begin on or after the first day of December and conclude on or before the twentieth day of December in such year and to be attended by all incumbent Members of his or her political party who have been reelected to the ensuing Congress and all other Members-elect of such party, for the purpose of taking all steps necessary to achieve the prompt organization of the Members and Members-elect of such party for the ensuing Congress.

(2) If the majority leader or minority leader calls an organizational caucus or conference under paragraph (1), he or she shall file with the Clerk of the House a written notice designating the date upon which the caucus or conference is to convene. As soon as possible after the election of Members to the ensuing Congress, the Clerk shall furnish each Member-elect of the party involved with appropriate written notification of the caucus or conference.

(3) If a vacancy occurs in the office of majority leader or minority leader during any even-numbered year (and has not been filled), the chairman of the caucus or conference of the party involved for the current Congress may call an organizational caucus or conference under paragraph (1) by filing written notice thereof as provided by paragraph (2).

(b) Payment and reimbursement for travel and per diem expenses for Members attending caucus or conference; exceptions; regulations governing payments and reimbursements; reimbursement vouchers

(1)(A) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends a caucus or conference called under subsection (a) of this section, and each incumbent Member reelected to the ensuing Congress who attends any such caucus or conference convening after the adjournment sine die of the Congress in the year involved, shall be paid for one round trip between his or her place of residence in the district which he or she represents and Washington, District of Columbia, for the purpose of attending such caucus or conference. Payment shall be made through the issuance of a transportation request form to each such Member-elect or incumbent Member by the Finance Office of the House before such caucus or conference.

(B) Each Member-elect (other than an incumbent Member reelected to the ensuing Congress)

who attends a caucus or conference called under subsection (a) of this section shall in addition be reimbursed on a per diem or other basis for expenses incurred in connection with his or her attendance at such caucus or conference for a period not to exceed the shorter of the following—

(i) the period beginning with the day before the designated date upon which such caucus or conference is to convene and ending with the day after the date of the final adjournment of such caucus or conference; or

(ii) fourteen days.

(2) Payments and reimbursements to Members-elect under paragraph (1) shall be made as provided (with respect to Members) in the regulations prescribed by the Committee on House Administration with respect to travel and other expenses of committees and Members. Reimbursements shall be paid on special voucher forms prescribed by the Committee on House Administration.

(c) Availability of House contingent fund

The contingent fund of the House is made available to carry out the purposes of this section.

(Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777.)

CODIFICATION

Section is based on section 202 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law by Pub. L. 93-554.

CHANGE OF NAME

Committee on House Administration of House of Representatives changed to Committee on House Oversight of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

EFFECTIVE DATE

Pub. L. 93-554 provided that the enactment of House Resolution No. 988, Ninety-third Congress, into permanent law is effective Jan. 2, 1975.

TRANSFER OF FUNCTIONS

Finance Office of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 43b-2 of this title.

§§ 29b, 29c. Omitted

CODIFICATION

Section 29b, based on section 204 of House Resolution No. 988, Ninety-third Congress, Oct. 8, 1974, which was enacted into permanent law, effective Jan. 2, 1975, by Pub. L. 93-554, title I, ch. III, Dec. 27, 1974, 88 Stat. 1777, established a Commission on Information and Facilities in House of Representatives to be composed of nine members of the House appointed by Speaker, required Speaker to appoint an Advisory Council to assist Commission in carrying out its functions, required Commission to conduct study of informational problems, facilities and space, and House legislative counsel requirements, provided for the scope of study of informational

problems, and required Commission to make an annual progress report to Speaker, to complete study of House legislative counsel requirements by Jan. 1, 1976, and to submit a final report by Jan. 2, 1977.

Section 29c, based on clause 10, rule I, of the Rules of the House of Representatives as in effect before July 17, 1984, relating to the Office for the Bicentennial for the House of Representatives, established by House Resolution No. 621, Ninety-seventh Congress, Dec. 17, 1982, which was enacted into permanent law by Pub. L. 98-367, title I, §102, July 17, 1984, 98 Stat. 479, established in House of Representatives an Office for the Bicentennial of the House of Representatives to coordinate planning of commemoration of two-hundredth anniversary of House of Representatives and to be staffed by a professional historian appointed by Speaker without regard to political affiliation and solely on basis of fitness to perform duties of the position and to serve at pleasure of Speaker, and provided that the Office cease to exist not later than Sept. 30, 1989, unless otherwise provided by law or resolution. Office of the Historian of the House of Representatives was established by clause 10, rule I, of the Rules of the House of Representatives, as added on Jan. 3, 1989 (H. Res. 5, 101st Congress).

§ 29d. Committee on Standards of Official Conduct of House of Representatives

(a) Omitted

(b) Committee composition

The respective party caucus or conference of the House of Representatives shall each nominate to the House of Representatives at the beginning of each Congress 7 members to serve on the Committee on Standards of Official Conduct.

(c) Investigative subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

- (1) for the establishment of a 4 or 6-member investigative subcommittee (with equal representation from the majority and minority parties) whenever the committee votes to undertake any investigation;
- (2) that the senior majority and minority members on an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee; and
- (3) that the chairman and ranking minority member of the full committee may only serve as non-voting, ex officio members on an investigative subcommittee.

Clause 5(d) of rule XI of the Rules of the House of Representatives shall not apply to any investigative subcommittee.

(d) Adjudicatory subcommittees

The Committee on Standards of Official Conduct shall adopt rules providing—

- (1) that upon the completion of an investigation, an investigative subcommittee shall report its findings and recommendations to the committee;
- (2) that, if an investigative subcommittee by majority vote of its membership adopts a statement of alleged violation, the remaining members of the committee shall comprise an adjudicatory subcommittee to hold a disciplinary hearing on the violation alleged in the statement;
- (3) that any statement of alleged violation and any written response thereto shall be made public at the first meeting or hearing on

the matter which is open to the public after the respondent has been given full opportunity to respond to the statement in accordance with committee rules, but, if no public hearing or meeting is held on the matter, the statement of alleged violation and any written response thereto shall be included in the committee's final report to the House of Representatives as required by clause 4(e)(1)(B) of rule X of the Rules of the House of Representatives;

(4) that a quorum for an adjudicatory subcommittee for the purpose of taking testimony and conducting any business shall consist of a majority of the membership of the subcommittee plus one; and

(5) that an adjudicatory subcommittee shall determine, after receiving evidence, whether the counts in the statement have been proved and shall report its findings to the committee.

Clause 5(d) of rule XI of the Rules of the House of Representatives shall not apply to any adjudicatory subcommittee.

(e) to (h) Omitted

(i) Advice and education

(1) The Committee on Standards of Official Conduct shall establish within the committee an Office on Advice and Education (hereinafter in this subsection referred to as the "Office") under the supervision of the chairman.

(2) The Office shall be headed by a director who shall be appointed by the chairman, in consultation with the ranking minority member, and shall be comprised of such staff as the chairman determines is necessary to carry out the responsibilities of the Office.

(3) The primary responsibilities of the Office shall include:

(A) Providing information and guidance to Members, officers and employees of the House regarding any laws, rules, regulations, and other standards of conduct applicable to such individuals in their official capacities, and any interpretations and advisory opinions of the committee.

(B) Submitting to the chairman and ranking minority member of the committee any written request from any such Member, officer or employee for an interpretation of applicable laws, rules, regulations, or other standards of conduct, together with any recommendations thereon.

(C) Recommending to the committee for its consideration formal advisory opinions of general applicability.

(D) Developing and carrying out, subject to the approval of the chairman, periodic educational briefings for Members, officers and employees of the House on those laws, rules, regulations, or other standards of conduct applicable to them.

(4) No information provided to the Committee on Standards of Official Conduct by a Member, officer or employee of the House of Representatives when seeking advice regarding prospective conduct of such Member, officer or employee may be used as the basis for initiating an investigation under clause 4(e)(1)(B) of rule X of the Rules of the House of Representatives, if such

Member, officer or employee acts in accordance with the written advice of the committee.

(j) Effective date

This section shall take effect immediately before noon January 3, 1991, except that subsections (g), (h), and (i) shall take effect on January 1, 1990.

(Pub. L. 101-194, title VIII, § 803, Nov. 30, 1989, 103 Stat. 1774.)

CODIFICATION

Section is comprised of section 803 of Pub. L. 101-194. Subsecs. (a) and (e) to (h) of section 803 amended the Rules of the House of Representatives which are not classified to the Code.

ACCEPTANCE OF GIFTS; AMENDMENTS TO ADVISORY
OPINIONS

Section 801(e) of Pub. L. 101-194 provided that: “The Committee on Standards of Official Conduct of the House of Representatives shall amend its advisory opinions relating to the acceptance of gifts (1) to prohibit lodging received as personal hospitality in excess of 30 days in any calendar year from any individual unless a written waiver is granted by the committee and (2) to exempt gifts of food and beverages consumed not in connection with gifts of lodging from coverage under clause 4 of rule XLIII of the Rules of the House of Representatives.”

NONCAMPAIGN USE OF CAMPAIGN VEHICLES

Section 802(e) of Pub. L. 101-194 provided that: “The Committee on Standards of Official Conduct of the House of Representatives shall issue an advisory opinion to provide for appropriate conditions for the incidental noncampaign use of vehicles owned or leased by a campaign committee of a Member of the House of Representatives.”

RESTRICTIONS ON REIMBURSABLE TRAVEL EXPENSES

Section 805 of Pub. L. 101-194 provided that:
“(a) RESTRICTIONS.—The Committee on Standards of Official Conduct of the House of Representatives shall amend its advisory opinions relating to the acceptance of necessary travel expenses incurred on or after January 1, 1990, in connection with speaking engagements and similar events to—

“(1) prohibit the acceptance of such expenses for more than 4 consecutive days in the case of domestic travel and 7 consecutive days (excluding travel days) in the case of foreign travel; and

“(2) permit the acceptance of travel expenses for the spouse or other family member in connection with any substantial participation event or fact-finding activity.

“(b) EXEMPTION AUTHORITY.—The Committee on Standards of Official Conduct of the House of Representatives is authorized to grant prior written exemptions from the limitations contained in subsection (a)(1) in exceptional circumstances.”

§ 30. Term of service of Members of Congress as trustees or directors of corporations or institutions appropriated for

In all cases where Members of Congress or Senators are appointed to represent Congress on any board of trustees or board of directors of any corporation or institution to which Congress makes any appropriation, the term of said Members or Senators, as such trustee or director, shall continue until the expiration of two months after the first meeting of the Congress chosen next after their appointment.

(Mar. 3, 1893, ch. 199, § 1, 27 Stat. 553.)

CODIFICATION

Section was formerly classified to section 722 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 30a. Jury duty exemption of elected officials of legislative branch

(a) Notwithstanding any other provision of Federal, State or local law, no elected official of the legislative branch of the United States Government shall be required to serve on a grand or petit jury, convened by any Federal, State or local court, whether such service is requested by judicial summons or by some other means of compulsion.

(b) “Elected official of the legislative branch” shall mean each Member of the United States House of Representatives, the Delegates from the District of Columbia, Guam, the American Virgin Islands, and American Samoa, and the Resident Commissioner from Puerto Rico, and each United States Senator.

(Pub. L. 101-520, title III, § 310, Nov. 5, 1990, 104 Stat. 2278.)

CODIFICATION

Section is from the Legislative Branch Appropriations Act, 1991.

**CHAPTER 3—COMPENSATION AND
ALLOWANCES OF MEMBERS**

Sec.	
31.	Compensation of Members of Congress.
31-1.	Repealed.
31-2.	Gifts and travel.
	(a) Gifts.
	(b) Limits on domestic and foreign travel by Members and staff of Senate.
31a.	Repealed.
31a-1.	Expense allowance of Majority and Minority Leaders of Senate; expense allowance of Majority and Minority Whips; methods of payment; taxability.
31a-2.	Representation Allowance Account for Majority and Minority Leaders of Senate.
	(a) Establishment; purpose.
	(b) Payments; allotment; reimbursement for actual expenses; taxability.
	(c) Authorization of appropriations.
31a-2a.	Transfer of funds from representation allowance of Majority and Minority Leaders of Senate to expense allowance; availability; definitions.
31a-2b.	Transfer of funds from appropriations account of Majority and Minority Leaders of Senate to appropriations account for “Miscellaneous Items” within Senate contingent fund.
	(a) Requests for transfers.
	(b) Authority to incur expenses.
	(c) Authority to advance sums.
31a-3.	Expense allowance for Chairmen of Majority and Minority Conference Committees of Senate; method of payment; taxability.
31b.	Expense allowance of Speaker of House of Representatives.
31b-1.	Former Speakers of House of Representatives; retention of office, furniture, etc., in Congressional district following expiration of term as Representative; exceptions.
31b-2.	Allowance available to former Speaker for payment of office and other expenses for administration, etc., of matters pertaining to incumbency in office as Representative and Speaker.